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To:	Commissioner for Patents US Patent & Trademark Office Examiner: Unknown Art Unit: 1771	From:	 Charlotte C. Wilson Agent for Applicants Registration No. 45,224
Fax:	(571) 273 - 8300	Fax:	(864) 503 - 1999
Phone:		Phone:	(864) 503 - 2194
Subject:	US Patent Application # 10 / 792,363 Application of: David D. Morris "Innerduct Guide Tube Assembly for Fiber Optic Cable" Docket No.: 5594	Date:	October 28, 2005
Copies:		Pages:	10 (including coversheet)

Comments:

Please find as follows—

Information Disclosure Statement transmittal: 4 pages

Form PTO-1449 (modified): 5 pages

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OCT 28 2005

PATENT

Customer No. 25280

Attorney Docket No. 5594

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David D. Morris

Application No.: 10 / 792,363

Filed: March 3, 2004

For: INNERDUCT GUIDE TUBE ASSEMBLY
FOR FIBER OPTIC CABLE

Group Art Unit: 3723

Examiner: Unknown

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

In re Application of: Allen et al.
Application No. 11/139,124

The Information Disclosure Statement is being filed:

- within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.
- after (a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and includes one of:
- the statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
- or
- the fee of \$180.00 set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application, and on or before payment of the issue fee, and includes the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180.00 as set forth in 37 CFR 1.17(p) (see "Fees" below).
- after the mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before payment of the issue fee, and within thirty days of receiving each item of information contained in the Information Disclosure Statement, and includes the Statement under 37 CFR 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180.00 as set forth in 37 CFR 1.17(p) (see "Fees" below).

NOTE: This is for original applications except applications for a design patent, filed on or after May 29, 2000, wherein a paper containing only an Information Disclosure Statement in compliance with 37 CFR 1.97 and 1.98 is being filed.

Copies of the References

- Copies of the references identified on the accompanying Form 1449, with the exception of U.S. patents and U.S. patent application publications, are enclosed herewith.
- Attached to each reference not in the English language is a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of the relevance pursuant to 37 CFR 1.98(a)(3).
- A copy of the foreign search report is enclosed herewith. The submission of the foreign search report does not constitute an admission regarding the relevance of the cited documents or the propriety of the analysis set forth therein. The right is expressly reserved to argue the lack of relevance of the cited documents or the impropriety of the analysis set forth therein.

In re Application of: Allen et al.
Application No. 11/139,124

- The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLICATIONS		
Application No.	Filing Date	Status

Statement under 37 CFR 1.97(e)

- The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Statement under 37 CFR 1.704(d)

- The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

Fees

- No fee is owed by the applicant(s).
 The IDS Fee of \$180.00 under 37 CFR 1.17(p) is enclosed herewith.

In re Application of: Allen et al.
Application No. 11/139,124

Method of Payment of Fees

- Attached is a check in the amount of \$0.00.
- Please charge Deposit Account No. 04-0500 in the amount of \$0.00. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

Authorization to Charge Additional Fees Due

- If any additional fees are owed in connection with this communication, please charge Deposit Account No. 04-0500. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

Instructions as to Overpayment

- Please credit any overpayment to Deposit Account No. 04-0500.

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Date: October 28, 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to (571) 273 – 8300 to the Commissioner for Patents, Post Office Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature: Charlotte C. Wilson
Name: Charlotte C. Wilson, Agent for Applicant

Date: October 28, 2005

Form PTO-1449 (Modified)		Serial No.: 10/792,363		Filing Date: March 3, 2004			
INFORMATION DISCLOSURE STATEMENT IN A PATENT APPLICATION Sheet <u>1</u> of <u>5</u> .		Inventor(s): David Drew Morris					
		Group Art Unit: 3723		Examiner: Not assigned yet			
		US PTO Customer No: 25280		Case No.: 5594			
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	IDENTIFIER	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB-CLASS
	AA	2,585,064	2/12/1952	Stachura		174	36
	AB	2,742,388	4/17/1956	Russell		154	110
	AC	2,916,055	12/8/1959	Brumbach		138	87
	AD	3,032,151	5/1/1962	Allen et al.		189	34
	AE	3,295,556	1/3/1967	Gertsma et al.		138	119
	AF	3,524,921	8/18/1970	Wolf		174	70
	AG	3,749,133	7/31/1973	Bochory		138	119
	AH	3,830,067	8/20/1974	Osborn et al.		61	12
	AI	3,911,200	10/7/1975	Simons et al.		174	36
	AJ	3,939,875	2/24/1976	Osborn et al.		138	178
	AK	3,996,968	12/14/1976	Bergman et al.		138	118
	AL	4,048,807	9/20/1977	Ellers et al.		405	159
	AM	4,105,284	8/8/1978	Olshansky		350	96.33
	AN	4,172,106	10/23/1979	Lewis		264	1
	AO	4,281,211	7/28/1981	Tatum et al.		174	36
	AP	4,282,284	8/4/1981	George		428	251
	AQ	4,374,608	2/22/1983	Anderson		360	96.23
	AR	4,478,661	10/23/1984	Lewis		156	92
	AS	4,565,351	1/21/1986	Conti et al.		254	134.3
	AT	4,582,093	4/15/1986	Hubbard et al.		138	111
Examiner:				Date Considered:			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (Modified)		Serial No.: 10/792,363		Filing Date: March 3, 2004			
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		US PTO Customer No: 25280		Case No.: 5594			
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	IDENTIFIER	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB-CLASS
	AU	4,585,034	4/29/1986	Hubbard et al.		138	111
	AV	4,602,763	7/29/1986	Gaylin		254	134.4
	AW	4,605,818	8/12/1986	Arroyo et al.		174	107
	AX	4,619,291	10/28/1986	Shirian		138	109
	AY	4,674,167	6/23/1987	Hubbard et al.		29	401.1
	AZ	4,707,074	11/17/1987	Heywood		350	96.23
	BA	4,729,409	3/8/1988	Paul		138	115
	BB	4,741,593	5/3/1988	Fochler		350	96.23
	BC	4,745,238	5/17/1988	Kotthaus et al.		174	101.5
	BD	4,762,751	8/9/1988	Girgis et al.		428	378
	BE	4,793,594	12/27/1988	Kumpf		254	134.3
	BF	4,836,968	6/6/1989	Cakmakci		264	177.19
	BG	4,862,922	9/5/1989	Kite, III/		138	119
	BH	4,896,940	1/30/1990	Kathiresan et al.		350	96.23
	BI	4,929,478	5/29/1990	Conaghan et al.		428	35.1
	BJ	4,946,722	8/7/1990	Moyer		428	36.1
	BK	4,948,097	8/14/1990	Reeve et al.		254	134.4
	BL	4,976,290	12/11/1990	Gelin et al.		138	141
	BM	5,023,395	6/11/1991	O'Connor		174	36
	BN	5,027,864	7/2/1991	Conti et al.		138	177
	BO	5,029,815	7/9/1991	Kumpf		254	134.3
	BP	5,034,180	7/23/1991	Steketee, Jr.		264	516
	BQ	5,069,254	12/3/1991	Vogelsang		138	111
Examiner:				Date Considered:			

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Form PTO-1449 (Modified) INFORMATION DISCLOSURE STATEMENT IN A PATENT APPLICATION Sheet <u>3</u> of <u>5</u> .		Serial No.: 10/792,363		Filing Date: March 3, 2004			
		Inventor(s): David Drew Morris					
		Group Art Unit: 3723		Examiner: Not assigned yet			
		US PTO Customer No: 25280		Case No.: 5594			
U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	IDENTIFIER	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB-CLASS
	BR	5,074,527	12/24/1991	Kumpf		254	134.3
	BS	5,113,468	5/12/1992	Baker		385	100
	BT	5,163,481	11/17/1992	Catallo		138	98
	BU	5,236,016	8/17/1993	Vogelsang		138	115
	BV	5,267,338	11/30/1993	Bullock et al.		385	100
	BW	5,289,556	2/22/1994	Rawlyk et al.		385	112
	BX	5,388,616	2/14/1995	Muller et al.		138	98
	BY	5,391,838	2/21/1995	Plummer, III		174	36
	BZ	5,413,149	5/9/1995	Ford et al.		138	123
	CA	5,442,136	8/15/1995	Allen		174	95
	CB	5,448,670	9/5/1995	Blew et al.		385	112
	CC	5,503,695	4/2/1996	Imoto et al.		156	71
	CD	5,536,461	7/16/1996	King et al.		264	209.3
	CE	5,538,045	7/23/1996	Piotrowski et al.		138	147
	CF	5,556,495	9/17/1996	Ford et al.		156	148
	CG	5,563,975	10/8/1996	Gorian et al.		385	100
	CH	5,587,115	12/24/1996	Allen		264	1.24
	CI	5,601,671	2/11/1997	Speich		156	88
	CJ	5,613,522	3/25/1997	Ford et al.		138	123
Examiner:				Date Considered:			

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U.S. PATENT DOCUMENTS							
EXAMINER INITIALS	IDENTIFIER	DOCUMENT NUMBER	DATE	NAME		CLASS	SUB-CLASS
	CK	5,681,640	10/28/1997	Kiser		428	181
	CL	5,698,056	12/16/1997	Kamiyama et al.		156	218
	CM	5,789,711	8/4/1998	Gaenis et al.		174	113 C
	CN	5,792,991	8/11/1998	Nolf		174	92
	CO	5,822,485	10/13/1998	Nelson et al.		385	112
	CP	5,838,864	11/17/1998	Patel et al.		385	113
	CQ	5,908,049	6/1/1999	Williams et al.		138	125
	CR	5,922,995	7/13/1999	Allen		174	95
	CS	5,969,295	10/19/1999	Boucino et al.		174	113
	CT	5,985,385	11/16/1999	Gottfried		428	34.6
	CU	6,010,652	1/4/2000	Yoshida		264	103
	CV	6,049,647	4/11/2000	Register et al.		385	101
	CW	6,069,264	5/9/2000	Kaminski et al.		254	134.4
	CX	6,147,015	11/14/2000	Bureau		442	29
	CY	6,165,604	12/26/2000	Edwards et al.		428	298.7
	CZ	6,178,278	1/23/2001	Keller et al.		385	109
	DA	6,179,269	1/30/2001	Kobylinski		254	134.3
	DB	6,240,968	6/5/2001	Bigonzi-Jaker et al.		138	115
	DC	6,246,820	6/12/2001	Le Cam et al.		385	100
	DD	6,251,201	6/26/2001	Allen		156	47
Examiner:				Date Considered:			

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